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Minutes  
Regular Meeting  
October 12, 2016

Present: Mayor Kenneth Neilson, Council Members Troy Belliston, Kolene Granger, Garth Nisson, Thad Seegmiller Jeff Turek, City Attorney Jeff Starkey, City Manager Roger City, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Police Chief Jim Keith, Leisure Services Director Barry Blake, Aquatics Manager Ben Rae, Audience: Travis Poore, Marlee Gubler, Susan Gubler, Orinda Samuelson, George Hamer, Garen Wright, Nate Spaulding, Austin Evans, Jason Isom, Jim Raines, Bob Hermandson, Walter Plumb III, Fred Jackson, Jeanette Jackson

Meeting commenced at 6:00 P.M.

**Invocation:** Mayor Kenneth Neilson

**Pledge of Allegiance:** Scout Austin Evans

**1. APPROVAL OF THE AGENDA**

*Council Member Seegmiller made a motion to approve the agenda with the removal of the Board Audit Report. Council Member Turek seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

**2. ANNOUNCEMENT**

City Manager Roger Carter recognized Chief Jim Keith as our Emergency Services Coordinator for over the past 10 years. He is deeply appreciated for his service.

The Emergency Services Coordinator Position will now be turned over to Fire Marshall Jim Guynn.

**3. DECLARATION OF ABSTENTIONS & CONFLICTS**

None

**4. CONSENT AGENDA**

**BOARD AUDIT REPORT:** Consideration to approve the Board Audit Report for September 2016.

*Removed*

**LOCAL CONSENT:** Consideration to grant Local Consent for an On-premises Alcohol License for Koral Kafe & Entertainment, located 2400 Town Center Drive. Applicant: Kim Brown

*Council Member Granger made a motion to approve the consent agenda. Council Member Nisson seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

**5. SPECIAL EVENTS**

**A. Confirmation of the approval for the Special Event request for Washington City Events 2017. Marketing/Event Manager Wendi Bulkley**

*Council Member Turek made a motion to approve the Special Event request for Washington City Events 2017. Council Member Granger seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

**6. AWARD RFP**

**A. Consideration to award the RFP for the Concessions at the Community Center, Golf Course, and Soccer Field. Aquatic Manager Ben Rae**

Aquatics Manager Ben Rae briefly reviewed the recommendation for the RFP.

Council Member Belliston stated he is slightly conflicted on the recommendation. He

appreciates Staff has vetted these proposals. One of the applicants was very ambitious and hungry for the opportunity. However, at the end of the day, he will go with the recommendation of Staff.

Aquatics Manager Rae explained all of the applicants have asked for a 3 year contract, with the option to renew.

Council Member Granger stated she is aware there is a possibility to increase the revenue with a percentage base. She would prefer to evaluate the actual revenue prior to any renewals.

City Attorney Jeff Starkey stated 3 year term is the standard for these types of contracts. However, we can easily accommodate any request of Council.

Council Member Belliston asked if it would make sense to take a look at all of the applicants equally and have a discussion, as we had one applicant come to the workshop.

Aquatics Manager Rae stated they have had a lot of experience in these types of reviews, and they feel comfortable with their current recommendation.

Council Member Granger stated they had good discussion at the workshop the previous evening, but were not given the same opportunity of the other application. Understanding Staff has had talked with all of them, and wish to move forward with the current recommendation.

*Council Member Turek made a motion to award the RFP for the Concessions at the Community Center, Golf Course, and Soccer Field to Dixie Sweet BBQ, as recommended by Staff for a 3 year term, with the option to renew upon review of revenues. Council Member Nisson seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

## **7. AGREEMENTS**

**A. Consideration to move forward with the negotiations on an agreement for the operation of the concessions at the Washington City Community Center, Green Spring Golf Course, and the Sullivan Virgin River Soccer Complex. Aquatic Manager Ben Rae**

City Attorney Jeff Starkey reviewed the agreement with Council.

*Council Member Seegmiller made a motion to move forward with the negotiations on an agreement for the operation of the concessions at the Washington City Community Center, Green Spring Golf Course, and the Sullivan Virgin River Soccer Complex. Council Member Belliston*

*seconded the motion; which passed with the following roll call vote:*

*Council Member Belliston     Aye*  
*Council Member Granger     Aye*  
*Council Member Nisson     Aye*  
*Council Member Seegmiller   Aye*  
*Council Member Turek     Aye*

## **8.     FINAL PLAT**

**A.     Consideration to approve the final plat for the Reserve at Green Spring Phase 2, located at approximately Reserve Parkway and Broad Point Drive.  
Applicant: Brenna holdings No 100, LLC**

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Reserve at Green Spring, Phase 2 subdivision, located at approximately Reserve Parkway and Broad Point Drive. This particular subdivision is proposing 19 lots on an area covering 6.12 acres. The specific location of this subdivision is zoned Single-Family Residential - 8,000 Sq, Ft, Min. (R-1-8). The Preliminary Plat was approved back on August 13, 2014.

The Planning Commission unanimously recommended approval of the Final plat for the Reserve at Green Spring, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

### **Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. The sewer easement between lots 220 and 221 needs to be labeled as a Public Utility Easement (P.U.E.) and also shown as a "NO BUILD" area on the plat.

7. All “Common Area” needs to be shown as a blanket “Public Utility and Drainage Easement”.

Council Member Granger asked if there are any concerns as this has taken such a long time to complete.

Community Development Director Ellerman stated there are no issues with the development. The developer has been moving forward, even though they are behind schedule.

Jim Raines stated there are two trails in the overall project. He reviewed the locations of the trails, and the two approved step over locations into the Red Cliffs Desert Reserve.

Council Member Granger stated there have been some concerns expressed about starting times for construction.

Mr. Raines stated they limit their contractor from 7:00 AM to dusk. They are also required to limit dust. Due to the high winds this summer, the contractor has had to come out on Saturday to water the area. They have also been instructed to travel Green Spring Drive rather than Concord. If they are using Concord, he will make sure they are instructed to use Green Spring Drive.

Council Member Granger asked if there is parking at the head of the trail.

Mr. Raines stated they did not put a parking area, but they do have plenty of on street parking, which is not in front of any homes. However, they would like to encourage people to park at the park, and use the trail system from there.

*Council Member Belliston made a motion to approve the final plat for the Reserve at Green Spring Phase 2, located at approximately Reserve Parkway and Broad Point Drive with the findings and conditions of Staff and as recommended by the Planning Commission. Council Member Seegmiller seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

## **9. ORDINANCES**

**A. Consideration to approve an Ordinance adopting Zone Change request Z-16-08 for the Brio Residential Development PCD Project Plan by amending the Land Use Map for certain portions within the PCD, and adding text to the Zoning Designations (Table 2.1 of Section 2) and Design Guidelines and Standards (Section 3). Applicant: Jack Fisher Homes**

Community Development Director Drew Ellerman reviewed:  
The applicant is requesting approval to Amend a portion of the Brio PCD project, more

specifically, the “Brio Residential Development - Conceptual Site Plan” Map AND written text as found in Section 2 - “Specific Site Plan” and Section 3 - “Design Guidelines and Standards”.

The applicant is wishing to propose a new use category to the Brio PCD, which is a Patio Home design (much like the ones now part of the Sienna Hills PCD known as “Sienna Heights Garden Homes”). Marketing trends are pushing the developer in this direction. Nearly half of the available land area will be devoted to this style within the overall development. With this change the applicant is also wishing to re-locate the commercial area from the northeast corner of the project to the south end of the project (just west of the main entrance into Brio).

With the proposed changes in home style/design, text will need to be amended with the project plan book as well. Section 2 - Specific Site Plan, will be amending Table 2.1 Zoning Designations (adding the “R-PH” designation - standing for “Residential - Patio Home”) (see attachment). Also being amended is Section 3 - “Design Guidelines and Standards”, adding again the new text covering the “Residential - Patio Home” criteria.

These will all be added to the master site plan referred to as “Brio Residential Development - Conceptual Site Plan” map.

Staff has reviewed the proposed amendment to the Brio PCD project plan. Staff is supportive with the proposed amendments as outlined. Staff’s only concern is that the roadways remain public streets as currently approved. Staying away from “private streets in this newly requested patio home amendment.

The Planning Commission unanimously recommended approval of Z-16-08, for the zone change request, Amending the Brio PCD project plan, more specifically the “Brio Residential Development - Conceptual Site Plan” map and the associated text as found in Section 2 - “Table 2.1 Zoning Designations” and Section 3 - Design Guidelines and Standards”, to the City Council, based on the following findings:

#### Findings

1. That the requested zoning amendment conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning amendment will be compatible with surrounding developments.
3. That no other changes (only those as outlined above) are implied to the remaining Brio PCD project plan.

Ben Willits stated this Master Plan does not address the circulation. There is a circulation plan, which he reviewed on the map for Council.

Community Development Director Ellerman stated when they come in for platting, more of these questions would be addressed.

Council Member Belliston stated they have a parcel listed as retail. He does not have an issue with having retail in this area. However, it should come before the homes, so as not to mislead the people who will be purchasing homes. He would not be supportive of this request until this is corrected.

Mr. Willits stated a retail space has nothing to do with this request.

Council Member Belliston expressed his concerned about changing this specific piece of property, until the retail space is resolved.

Council Member Turek stated realtors have a process also, and Council is going to be a part of this change.

Council Member Seegmiller asked specifically the concern.

Council Member Belliston stated Council many many times has individuals come to them saying they were sold something badly. He would like to avoid it happening.

Mr. Willits stated this does not have anything to do with this specific PCD Amendment. The real estate end of this is not his involvement.

Community Development Director Ellerman stated he contacted the realtor. He instructed the realtor that this has been preapproved for an assisted living project, which he did state he would change on the listing. The realtor also noted he is telling anyone who contacts them on this parcel, they will need to get approval from the City for any development.

Mr. Willits briefly reviewed the map locating the townhomes, and potential retail space.

Council Member Seegmiller asked for clarification of the Jensen Parcel.

Mr. Willits stated it was the charter school property. They have had some early discussions with the property owner. There is a possibility this will not be a part of the Brio PCD. Regardless, there are stub roads in place, so the property is not landlocked.

*Council Member Seegmiller made a motion to approve an Ordinance adopting Zone Change request Z-16-08 for the Brio Residential Development PCD Project Plan by amending the Land Use Map for certain portions within the PCD, and adding text to the Zoning Designations (Table 2.1 of Section 2) and Design Guidelines and Standards (Section 3). Council Member Turek seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Nay</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

**B. Consideration to approve a General Plan Amendment request G-16-02, to change designation from OS (Open Space) to LD (Low Density), located south of Scenic Sunrise Subdivision. Applicant: Walter Plumb**

Community Development Director Drew Ellerman

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately south of Scenic Sunrise subdivision and east of Horizon Elementary School and The Heights subdivision. The requested area covers 110.84 acres. The current Land Use designation is Open Space (OS). The applicant is seeking to have the Land Use designation changed to the Low Density Residential (LD) designation as outlined in the General Plan. The Low Density Residential designation allows for zoning districts of R-1-10 and R-1-12.

The wish is to amend this parcel for a possible future zone change request for a single family residential development at this location. To note, this area is also found to be in the Hillside Protection zone. The applicant has been made aware that if this request is approved by the City, they will also be required to move forward with application for Hillside review approval before any zoning or development approvals can be granted. They are willing to proceed forward under the notion that this must occur.

The surrounding general plan designations in particular area are Open Space to the east and south, Low Density Residential to the west and north.

Staff has visited the site and finds that a strong possibility of development can take place due to the subtle slopes/topography changes in this area. Good planning and engineering on the developer's part will need to be addressed for area to be an acceptable development.

The Planning Commission unanimously recommended approval of G-16-02 to amend the General Plan Land Use Map as outlined above, to the City Council.

*Council Member Turek made a motion to approve a General Plan Amendment request G-16-02, to change designation from OS (Open Space) to LD (Low Density), located south of Scenic Sunrise Subdivision. Council Member Belliston seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

#### **10. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE**

Council Member Granger reminded everyone of the General Plan Amendment Open House tomorrow evening. Everyone is welcome to attend.

City Manager Roger Carter asked if there are any open houses planned for the Washington Fields area.

Community Development Director Ellerman stated they do not have any additional open houses planned.

Council discussed the recommendations given by the citizens of Washington City.

Council Member Belliston asked about the business meeting and presentation by Buxton.

City Manager Carter stated this will be held on the 25th of October at 4:00 P.M.

Council Member Belliston reminded the community about Halloween at the Covington Home.

## **11. CITY MANAGER REPORT**

City Manager Roger Carter updated Council on current projects.

Leisure Services Director stated they are working on the plans for the Boilers Park Project. It is going to be beautiful, once it is complete.

City Manager Carter stated we received a \$25k grant for the Cottonwood Trail servicing. The earthwork on Telegraph is substantially done. They are working on the new drainage, and the asphalt has been milled. It is important to get people driving on the road as soon as it is feasible.

Council Member Granger would like to get the information out to the residents with regard to the progress.

City Manager Carter stated they would like to get traffic on the road in 2 to 3 weeks. However, a permanent service is going to be further out, and we do not have a definite date of this.

Council Member Seegmiller asked what type of dirt they are placing.

Public Works Director Mike Shaw explained the excavating process, and the material, which will be placed to hold the slide.

City Manager Carter asked if there will be covering of the hills to get something growing.

Public Works Director Shaw stated seeding is included in the project. They are also installing inclinometers, so they are able to monitor the road.

Mayor Neilson reminded Council of the Mayor's Cup at the Green Spring Golf Course next Tuesday.

## **12. ADJOURNMENT**

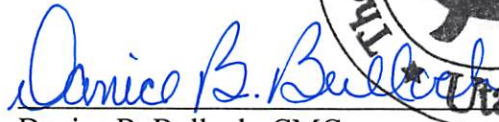
*Council Member Belliston made a motion to adjourn the meeting. Council Member Seegmiller seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Seegmiller</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

*Meeting adjourned at 7:30 P.M.*

Passed and approved this 26th day of October, 2016.

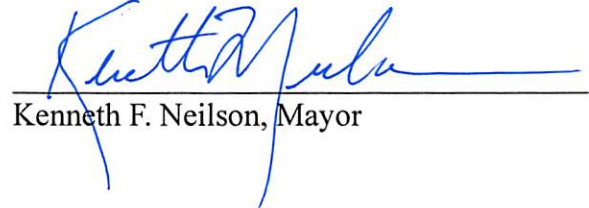
Attest by:



Danice B. Bulloch, CMC  
City Recorder



Washington City

  
Kenneth F. Neilson, Mayor